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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,988	09/26/2005	Carl Emil Felix Minder	377/9-2144	4671

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EXAMINER

PUROL, DAVID M

ART UNIT

PAPER NUMBER

3634

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/550,988

Applicant(s)

MINDER, CARL EMIL FELIX

Examiner

David M. Purol

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09262005</u> | 6) <input type="checkbox"/> Other: _____ |

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1. The preliminary amendment filed on September 26, 2005 has been entered.
2. Claims 1-18 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

These claims are replete with language for which its intended meaning is not understood and further contain numerous grammatical/idiomatic errors. For example: claim 1, line 1 "and the like", line 4 "in a way as to create an", line 6 "this device being", line 7 "situated slidingly" and "screw-fitted onto", line 8 "being linked to said roller in relation to rotation", lines 10-11 "from a rolled up configuration (A) to be unrolled configuration (B) and vice-versa", line 12 "acting on", line 15 "and vice-versa, such that", line 16 "balanced way" and "and/or", line 17 "aimed at pressing", lines 17-19 "first elastic means and second elastic means, against corresponding first surface and second surface of said operating body"; claim 3, lines 2-3 "reach such a compression degree"; claim 4, line 3 "reach such a compression degree"; claim 5, line 2 "can be adjusted in relation"; claim 6, line 3 "can be adjusted in relation to the dimensions and/or the nature"; claim 7, line 2 "in stationary configuration", line 4 "and/or"; claim 8, line 2 "aimed at", line 3 "by angular displacements reduced with respect to the latter"; claim 9, line 2 "which features said", line 3 "for prismatic coupling"; claim 10, lines 1-2 "for prismatic coupling", line 2 "made on", line 3 "made in"; claim 11, line 2 "for prismatic coupling" and "made on", line 4 "made in"; claim 14, line 2 "are either spheroid or ellipsoid blocks and are made of"; claim 15, line 2 "or any other kind of"; claim 16, line 3 "due to"; claim 17, line 3 "which avoid interference with".

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In addition, these claims are narrative in form and replete with functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.


Claim 1 as best understood is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Sternquist. Sternquist discloses a roller 12, threaded stem 60, operative body 75, first and second elastic means 67,140,125,101,160, first and second stop means 66,79,80,84.

4. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Simpson, Bergamaschi '140 and '717, Minder, Leach.

5. Any inquiry concerning this communication should be directed to David M. Purol at telephone number (571) 272-6833.

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David M. Puro
Primary Examiner
Art Unit 3634

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September 29, 2006